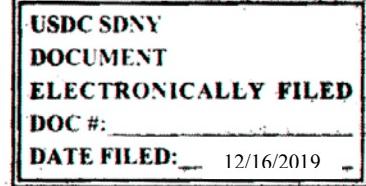


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X



In re: TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03 MDL 1570 (GBD)(SN)

ORDER

X

**SARAH NETBURN, United States Magistrate Judge:**

Following the Court's May 29, 2019 Order (ECF No. 4564) governing the scope of topics for the deposition of non-party witness Akram Alzamari, the parties have filed objections to the proposed written questions. It is ORDERED that:

Alzamari's objections are SUSTAINED as to Direct Examination Question 1.a. As the Court ruled in its October 28, 2019 Order (ECF No. 5233), this question falls outside the scope of the Court's May 29 Order. Plaintiffs are accordingly directed to strike Question 1.a.

Alzamari's objections are OVERRULED as to Direct Examination Questions 3, 4, 5, 6, 9, 10, 11, 13, and 14. Consistent with the Court's prior order, and to avoid undue burden on the deponent, Questions 5 and 6 shall be limited to the period ten years before September 11, 2001.

Alzamari's objections are SUSTAINED in part as to Direct Examination Questions 46a, 46b, 48a, 64a, 64c, 146d, 167c, 188, 238i, 243e, and 243h. These questions may seek information outside the scope of the Court's May 29 Order insofar as the questions request information based on Alzamari's current knowledge rather than knowledge prior to September 11, 2001. As the parties previously agreed to regarding the introduction of the photographs, this concern is best addressed by changing the tense of these questions to past tense. In addition, plaintiffs are ordered to strike the language in the preliminary instruction stating that the witness's answers may be based on "things you heard or read about from others." The

preliminary instruction should be limited to the witness's "knowledge and/or observations." For similar reasons, plaintiffs shall strike "any source" from Questions 243e and 243h.

Plaintiffs' objections to cross examination question 4.d are OVERRULED. Objections as to foundation are preserved. Because this question falls within the scope of the Court's May 29 Order, it is permissible. The Court also OVERRULES plaintiffs' objections to the Kingdom's use of bolded language in the question, which serves to helpfully emphasize the time frame being asked about.

Alzamari's objections to plaintiffs' Redirect Examination Questions 1(a)—1(e) and 1(m) are SUSTAINED. As written, these questions appear to ask about Alzamari's knowledge of post 9/11 documents and/or events and therefore fall outside the scope of the Court's May 29 Order. These questions are not otherwise permissible as a redirect examination. Alzamari's objections to Redirect Examination Questions 1(f)—1(l) are OVERRULED because these questions do not ask about or allude to post 9/11 documents and/or events and therefore fall within the scope of the Court's May 29 Order.

**SO ORDERED.**



SARAH NETBURN  
United States Magistrate Judge

DATED: December 16, 2019  
New York, New York